



***Neuroscience Research Precinct
Barker Street, Randwick
Concept Plan (MP 08_0086) &
Major Project Application - Stage 2
(MP 08_0153)***

Director General's Environmental
Assessment Report
Section 75I of the
Environmental Planning and Assessment
Act 1979

January 2010



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EXECUTIVE SUMMARY

The Prince of Wales Medical Research Institute (the proponent) is seeking approval for the development of the Neuroscience Research Precinct at Barker Street, Randwick, pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This report is an assessment of a Concept Plan for the Neuroscience Research Precinct and Project Application for Stage 2 of the proposal.

Stage 1 of the Concept Plan application which provides for temporary accommodation for an additional 25 employees was approved by Randwick City Council under Part 4 of the EP&A Act on 2 October 2007, and is currently under construction.

The site is located in the south-western portion of the Prince of Wales Hospital precinct and is bound by Hospital Road to the west, Easy Street to the east, Barker Street to the south, and Francis Martin Drive and the Kiloh Centre to the north.

Proposal

The **Concept Plan** application, through amendments in the Preferred Project Report (PPR), seeks approval for:

- Three stages of development consisting of temporary neuroscience research accommodation in Stage 1, a neuroscience research building in Stage 2 (25,470m² of GFA), and neuroscience research buildings in Stage 3 (maximum of 35,530m²);
- Construction of a maximum of 61,000m² of medical research GFA;
- A maximum height of RL 89.0m and maximum of 12 storeys;
- 345 car parking spaces;
- Utilities; and
- Landscaping.

The **Project Application** for Stage 2, through amendments in the PPR, seeks approval for:

- Demolition of existing structures;
- Excavation;
- Construction of a seven storey building comprising 25,470m² of GFA, to be delivered in four sub-stages;
- 226 car parking spaces over two levels in a basement car park and an at-grade car park;
- Loading facilities; and
- Landscaping and associated physical infrastructure works.

The Capital Investment Value (CIV) of the Concept Plan proposal is **\$264.9 million** and the proposal will result in approximately a total of **1,500** full time equivalent operational jobs and approximately **800** construction jobs. The Project Application component has a CIV of **\$117.9 million** and will result in approximately **650** full time equivalent operational jobs and **120** full time equivalent construction jobs.

Public Exhibition

The proposal was exhibited from 3 June 2009 to 3 July 2009. The Department received a total of two submissions from public authorities, a submission from Randwick City Council, comments from the Department's Heritage Branch and four public submissions. Key issues included:

- Bulk and scale;
- Overshadowing;
- Privacy and acoustic impacts on residential amenity;
- Car parking provisions;
- Transport and traffic impacts;

- Waste management;
- Stage 3 development details; and
- Developer contributions.

Preferred Project Report (PPR)

On 3 November 2009, the proponent submitted a PPR to address issues raised by the Department, public authorities and the public. Revisions to the **Project Application** (Stage 2 building) are summarised as follows:

- Increased western setback by 1 metre;
- Setback of the plant on Level 7 by approximately 6 metres;
- Modification to the treatment and design of the western façade; and
- Clarification on the car parking provisions.

Revisions to the **Concept Plan** envelope are summarised as follows:

- Clarification of the Concept Plan footprint and envelope, including setbacks on the upper levels of the Stage 3 envelope up to a maximum of approximately 7.8 metres; and
- Increased western setback by 1 metre; and
- Amended solar access assessment.

Key recommended conditions and modifications

Key recommendations, modifications to the Concept Plan, and conditions of approval for the Project Application are as follows:

- Car parking and auditorium shall not be operated by a commercial for profit operator;
- Further analysis of car parking provisions for Stage 3 and promotion of sustainable transport for any future Project Application; and
- The Concept Plan shall be limited to Stage 2 and Stage 3 of the development (see Section 5.12).

Public benefits

The public benefits resulting from the proposal, subject to recommended conditions of approval, include:

- Strengthening the specialised centre;
- Providing additional medical research facilities and educational facilities to advance health discoveries;
- Establishing an iconic building;
- Attracting leading researchers;
- Improved urban and aesthetic design on the site;
- Increased employment opportunities consistent with strategic planning objectives;
- Significant capital investment in the medical research field; and
- Investment certainty by providing appropriate building envelope and uses for the whole site.

Conclusion

The Department has assessed the merits of the project and is satisfied that the impacts of the proposed development have been addressed via the PPR, Statement of Commitments and the Department's recommended modifications to the Concept Plan and conditions of approval for the Project Application. The Department considers that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance. The Department is satisfied that the site is suitable for the proposed development and that the project will provide environmental, social and economic benefits to the locality and is consistent with strategic planning objectives in the State Plan and the Draft East Subregional Strategy.

The Department recommends approval of the Concept Plan, subject to modifications (including limiting the approval to not apply to Stage 1), and approval of the Stage 2 Project Application, subject to conditions of approval.

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1 BACKGROUND

1.1 THE SITE

1.1.1 Site context and location

The Neuroscience Research Precinct site is located at Barker Street, Randwick, and is bound by Hospital Road to the west, Easy Street to the east, Barker Street to the south, and Francis Martin Drive and the Kiloh Centre to the north (Part Lot 1, DP870720). The site is located in the south-western part of the hospital precinct (see Figure 1).



Figure 1 – Site and contextual location

The site is within the Randwick local government area and is owned by South Eastern Sydney and Illawarra Area Health Service. The site is approximately 14,020m² in size.

Site visits were undertaken by Department officers on 29 June 2009 and 30 October 2009.

1.1.2 Existing site features

The site currently accommodates a one and two-storey rendered brick building, 2 x two-storey rendered brick buildings, a one storey brick building, and demountable buildings. The Blackdog Institute, Prince of Wales Medical Research Institute, and Randwick Ambulance Station are housed within the existing buildings.

Consent for the Stage 1 development of the site was issued by Randwick Council on 2 October 2007 and provides floor space for temporary and immediate accommodation during construction of Stage 2A. The Stage 1 development is currently being constructed. The completion of Stage 1 will result in approximately a total of 8,545m² of GFA. A number of the structures currently on site and approved as part of Stage 1 works are demountable and temporary buildings.

1.1.3 Surrounding development

The site is surrounded by predominantly low scale development to the east, south and west. The development to the west and south-west of the site is predominantly low scale detached residential dwellings and three storey residential flat buildings. Directly south of

the site are horse stables and a veterinary clinic. To the south-east of the site is Randwick Girls High School. Immediately to the east of the site are low scale hospital buildings, villa, a car park, visitor accommodation, and a child care centre. Adjoining the site to the north-east is the Destitute Children's Asylum Memorial Garden and located to the south-west of the site is the Struggletown Heritage Conservation Area.

To the north of the site are medium to high rise hospital buildings (up to a maximum of RL 94.81m) that are commensurate with the size of the proposed buildings. The buildings within the hospital precinct range from Victorian institutional and residential architecture to twentieth century hospital and general institutional architecture.

1.2 SITE HISTORY/BACKGROUND

The site was used by the Indigenous Australians prior to European settlement. Evidence of their habitation of the area is evident in the hearth/fireplace that was discovered during the excavation for the development of the Kiloh Centre (adjoining the site to the north-east). The evidence suggests that the site was occupied by the Aborigines over 7,800 years ago. The discovery is the earliest recorded Aboriginal occupation in the Sydney area.

The site since European settlement has predominantly been used for institutional purposes. The first recorded use for the site was The Randwick Destitute Children's Asylum which established the first buildings on the site. Several of the buildings erected during that time still exist today in a modified state and form part of the Prince of Wales Hospital buildings. The site was then adapted and used as a Military Hospital and Repatriation Hospital during and after the two World Wars. During this period numerous additions and alterations were made to the existing buildings and additional structures erected. The site has been used for hospital and teaching purposes since.

2 PROPOSED DEVELOPMENT

2.1 THE PROPOSED DEVELOPMENT

Approval is sought for the development of the Neuroscience Research Precinct at Barker Street, Randwick. The project is seeking both Concept Plan approval (Stages 1 to 3) and project approval for Stage 2 of the development.

Stage 1 was previously approved by Randwick Council under Part 4 of the EP&A Act. The proponent has requested that there be no further environmental assessment of Stage 1 works pursuant to section 75P(1)(c) of the EP&A Act, and that Stage 1 be approved as a project pursuant to section 75J of the EP&A Act, without further application. Moreover, they have proposed the existing conditions issued by Randwick City Council (Part 4 consent) be imposed in the section 75J approval (refer to Section 5.12).

The EA prepared for Stage 2 and the Concept Plan is attached at **Appendix B**.

The proposed development comprises the following, and key project figures are outlined in Table 1.

Concept Plan

- Three stages of development consisting of temporary neuroscience research accommodation in Stage 1, a neuroscience research building in Stage 2 (25,470m² of GFA), and neuroscience research buildings in Stage 3 (maximum of 35,530m²);
- Construction of a maximum of 61,000m² of medical research GFA;
- A maximum height of RL 89.0m and maximum of 12 storeys;
- 345 car parking spaces;
- Utilities; and
- Landscaping.

Project Application

- Demolition of existing structures;
- Excavation;
- Construction of a seven storey building comprising 25,470m² of GFA, to be delivered in four sub-stages;
- 226 car parking spaces over two levels of basement car park (176) and an at grade car park (50);
- Loading facilities; and
- Landscaping and associated physical infrastructure works.

Table 1 – Project figures

	EXISTING (inc. Stage 1)	PROJECT APPLICATION (Stage 2)	CONCEPT PLAN (Stages 2 and 3)
Site Area	14,020m ²	-	14,020m ²
GFA	8,545m ²	25,470m ²	61,000m ²
FSR	0.6:1	1.8:1 (Black Dog Institute – 0.2:1) (Site total – 2:1)	4.4:1
Footprint	-	4,125m ²	11,850m ²
Max RL	53.7m	76.2m	89.0m
Max. number of storeys	2	7	12
Car parking spaces	66	226	345
Number of Staff & Students	225	650	1,500

The CIV of the proposal is **\$264.9 million** and the proposal will result in approximately **1,500** full time equivalent operational jobs and approximately **800** construction jobs. The Project Application component has a CIV of **\$117.9 million** and will result in approximately **650** full time equivalent operational jobs and **120** full time equivalent construction jobs.

The building envelope sought for the Concept Plan application and indicative maximum building heights are illustrated in Figure 2. The Stage 2 development is illustrated in Figures 3-4.

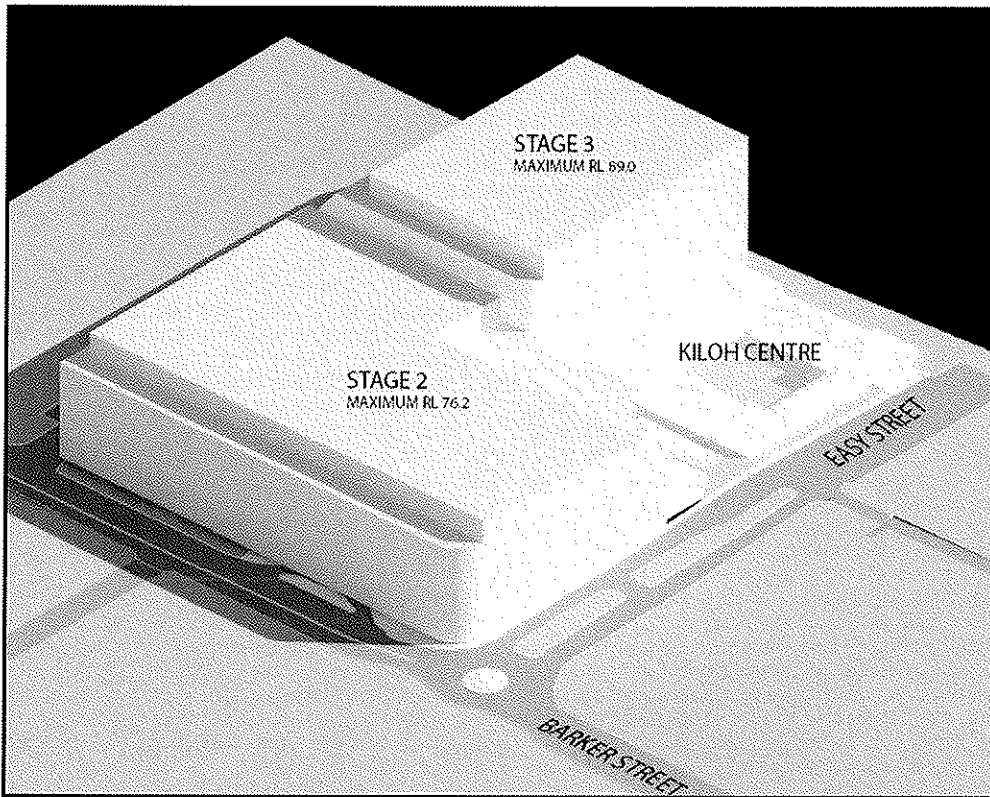


Figure 2 – Concept Plan Building Envelope

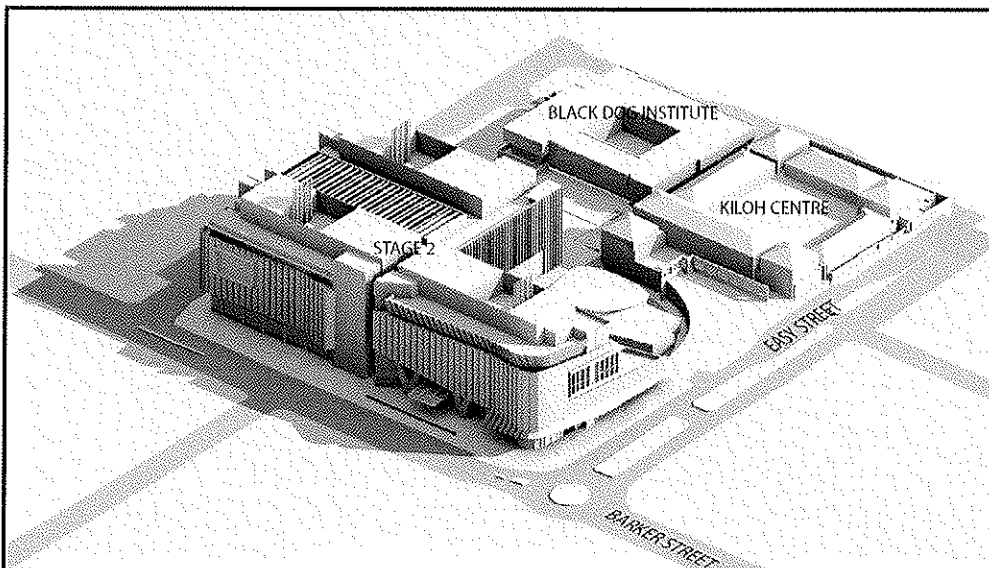


Figure 3 – Stage 2 building in the foreground (existing Black Dog Institute, to be demolished for Stage 3, and Kiloh Centre in the background)

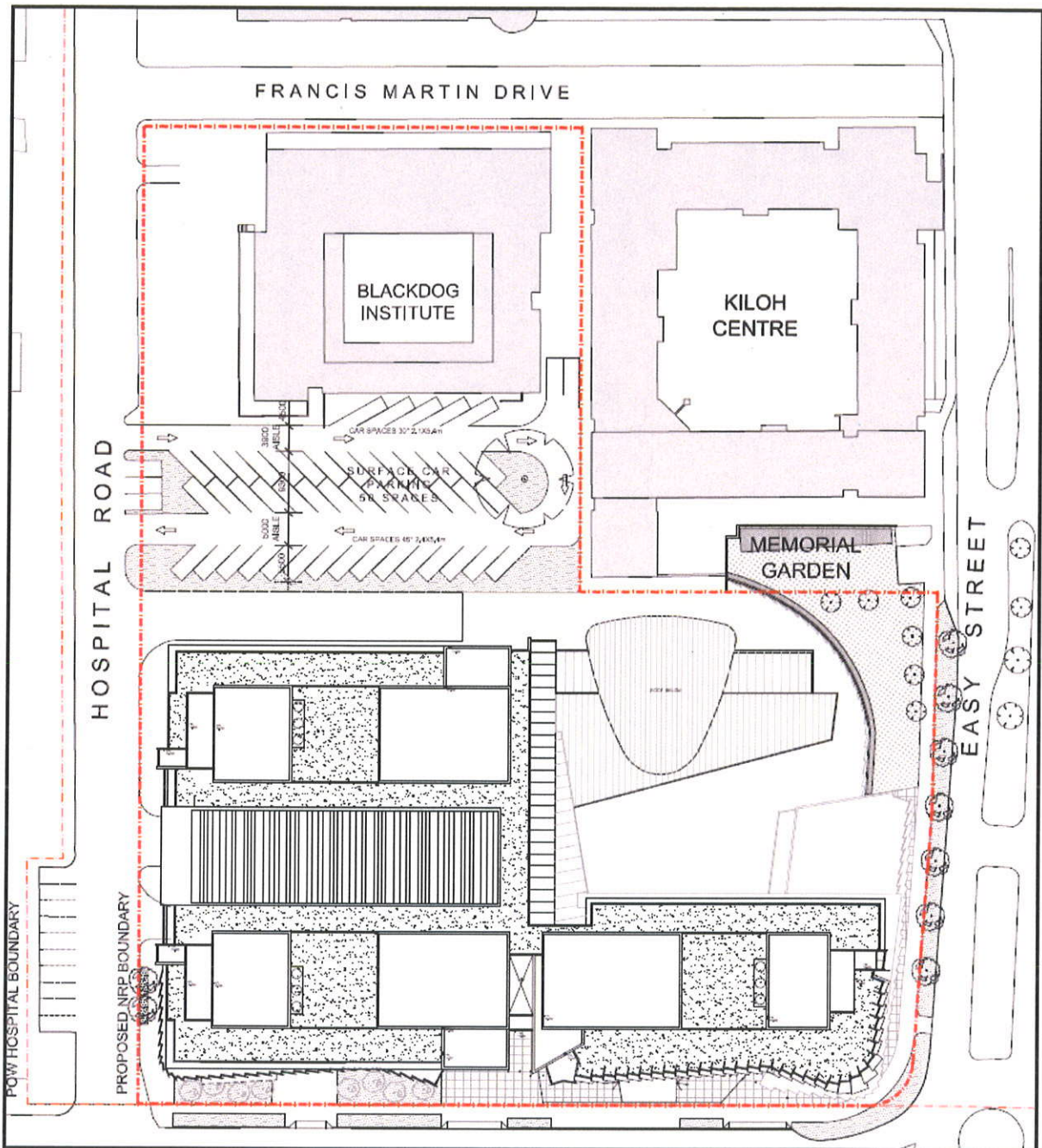


Figure 4 – Stage 2 development

2.2 PREFERRED PROJECT REPORT

A PPR, including response to submissions, was submitted on 3 November 2009. Revisions to the Project Application (Stage 2 building) are summarised as follows:

- Increased western setback by 1 metre;
- Setback of the plant on Level 7 by approximately 6 metres;
- Modification to the treatment and design of the western façade; and
- Clarification on the car parking provisions.

Revisions to the Concept Plan envelope are summarised as follows:

- Clarification of the Concept Plan footprint and envelope, including setbacks on the upper levels of the Stage 3 envelope up to a maximum of approximately 7.8 metres; and
- Increased western setback by 1 metre; and
- Amended solar access assessment.

A copy of the PPR, including a response to submissions, is attached at **Appendix C**.

2.3 PROJECT JUSTIFICATION

The proponent's demand for floor space exceeds current supply. The development of a new facility is required as the existing buildings are not suitable for expansion given: they have been adapted over the years to support the current uses and are not fit for purpose; the mechanical plant is reaching its service life; there is inefficient goods handling and servicing due to long travel distances between research groups; and the building fabric could not support any future expansion.

The new facilities would address the current and future needs of the proponent by providing fit for purpose floor space with adaptable floor plates which will cater to current and future research needs. The new facility would also assist in attracting leading researchers and facilitate research funding. The Concept Plan application also provides greater investment certainty, which will support fund raising initiatives.

Development of the facility would also address strategic planning objectives of the State Plan which promotes improved mental health outcomes. It will also support the draft East Subregional Strategy which promotes an additional 75,000m² of medical research gross floor area in the Randwick Education & Health Specialised Centre required to support employment and education in the region (see Section 3.7).

2.4 STAGING

The development proposed in the Concept Plan consists of three stages. Stage 1 consists of previously approved development that provides temporary accommodation floor space to meet the demands of the proponent. Construction of Stage 1 has already commenced and is nearing completion (see Figure 5).

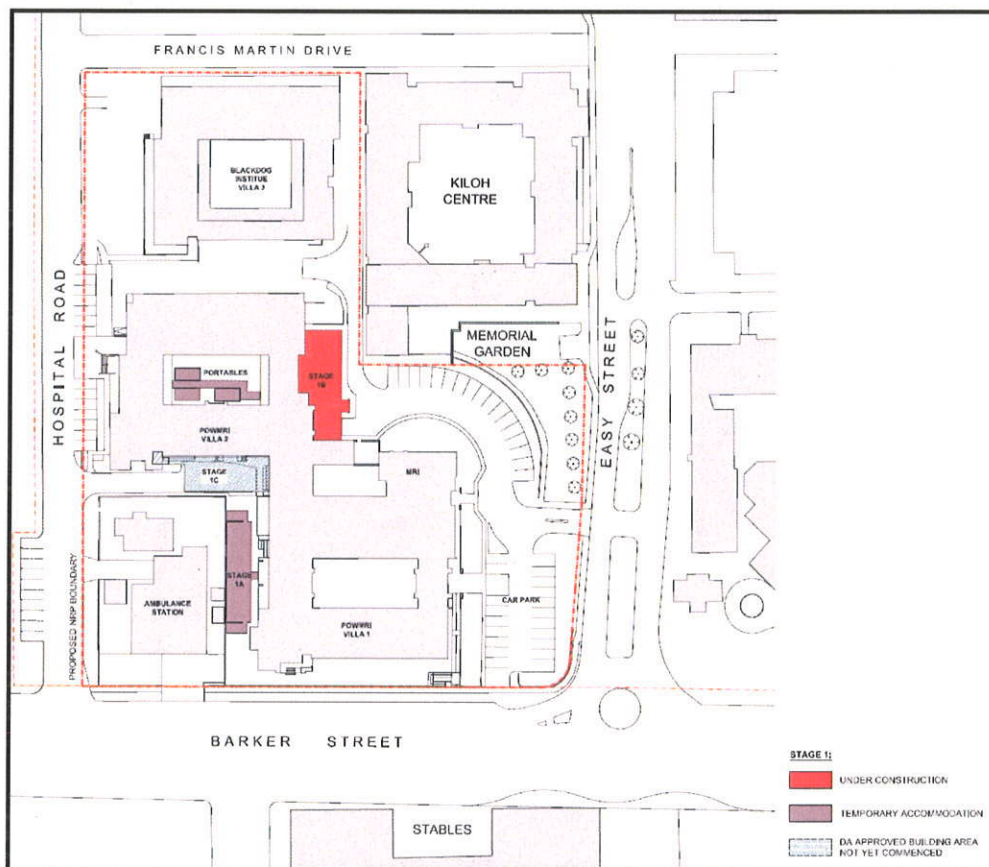


Figure 5 – Stage 1 Development – Temporary and Short Term Accommodation

Stage 2 involves the erection of a seven storey neuroscience research building comprising an ambulance station, animal house, auditorium, clinical rooms, offices and laboratories

over four sub-stages. The Stage 3 neuroscience research and treatment building is subject to future project approval. The location of Stage 2 and Stage 3 (including the sub-stages of Stage 2) are illustrated in Figure 6. Stage 3 of the development will require the demolition of the Black Dog Institute. The Stage 3 development will provide for the longer term neuroscience research floor space demands of the proponent, including office, clinical and laboratory facilities and accommodation for the Black Dog Institute. Accordingly, only Concept Plan approval identifying a maximum development footprint, building envelope, and uses that will be permissible is being sought.

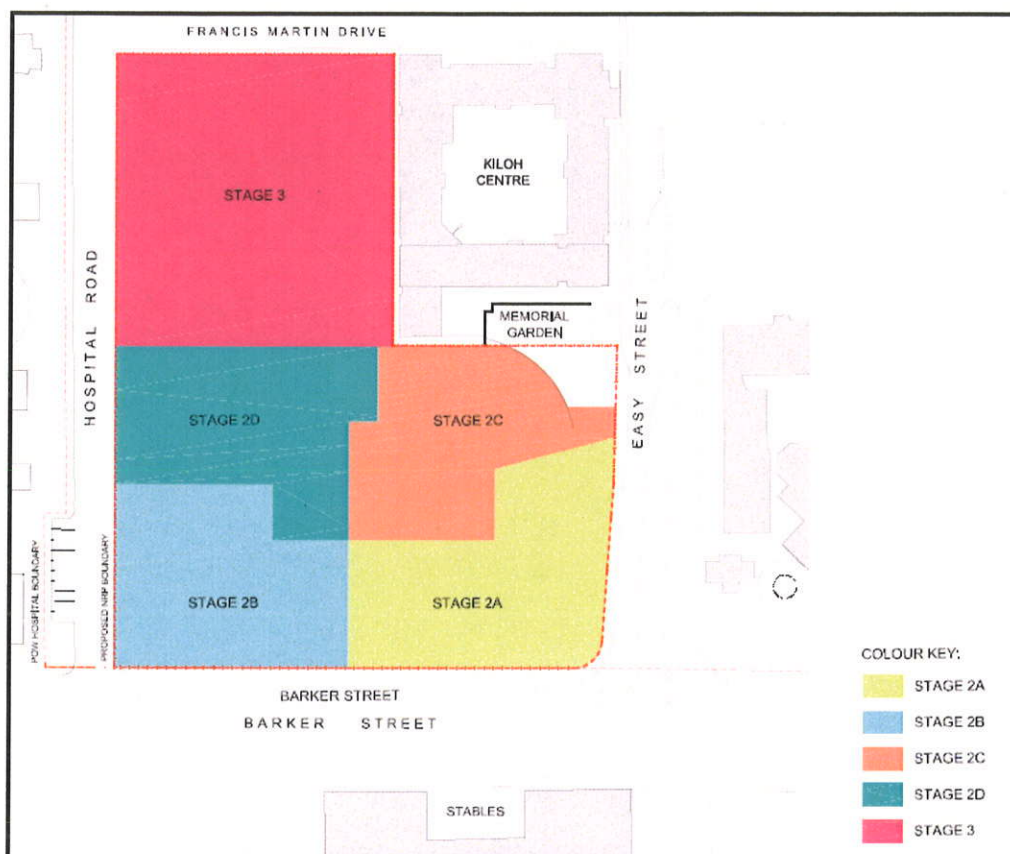


Figure 6 – Stage 2 and Stage 3 development

2.5 PROJECT CHRONOLOGY

- 10 July 2008 – Minister for Planning formed the opinion that the Concept Plan proposal is a project to which Part 3A of the EP&A Act applies and authorised the lodgement of the Concept Plan.
- 12 August 2008 – Director General, as delegate of the Minister, formed the opinion that the proposal comprising Stage 2 of the project is a project to which Part 3A of the EP&A Act applies.
- 13 August 2008 – Director General's Environmental Assessment Requirements (DGRs) were issued for the Concept Plan.
- 11 September 2008 – DGRs were issued for the Major Project Application.
- 4 February 2009 – The Environmental Assessment (EA) was lodged with the Department.
- 19 February 2009 – The EA was deemed adequate
- 3 June 2009 to 3 July 2009 – EA placed on public exhibition.
- 21 July 2009 – Copies of submissions provided to proponent and key issues as identified by the Department.
- 3 November 2009 – Proponent's PPR, including response to submissions was received.

3 STATUTORY CONTEXT

3.1 MAJOR PROJECT DECLARATION

The Concept Plan proposal is a project to which Part 3A of the EP&A Act applies under the State Environmental Planning Policy (Major Development) 2005 (MD SEPP) as it has a CIV of more than \$15 million, will employ over 100 people, and is of a kind described in Schedule 1, Group 7, clause 19 (Medical research and development facility). The opinion was formed by the then Minister for Planning on 10 July 2008, and pursuant to clause 75B and 75M of the EP&A Act, authorisation was granted for the lodgement of a Concept Plan application.

Similarly, the Stage 2 proposal is a project to which Part 3A of the EP&A Act applies under the MD SEPP as it has a CIV of more than \$15 million, will employ over 100 people, and is of a kind described in Schedule 1, Group 7, clause 19 (Medical research and development facility). The opinion was formed by the Director General as delegate for the Minister on 12 August 2008.

3.2 PERMISSIBILITY

The subject site is zoned "Special Uses" under the Randwick Local Environmental Plan 1998, and a hospital which includes facilities used for educational or research purposes is classified as permissible development with consent.

There are no maximum height, floor space ratio or other development controls that apply to the site under the Randwick LEP 1998. Similarly, no relevant Development Control Plans apply to the site.

3.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRs)

The DGRs and following key issues were considered in the Department's assessment of the Environmental Assessment:

- Built form and urban design;
- Environmental and residential amenity;
- Car parking and traffic impacts;
- Heritage;
- Staging; and
- ESD

The DGRs are in **Appendix A**.

The EA lodged by the proponent on 4 February 2009, was deemed adequate by the Department on 19 February 2009.

3.4 OBJECTS OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Minister's consideration and determination of a Concept Plan and Project Application under Part 3A must be informed by the relevant provisions of the EP&A Act, including the objects of the EP&A Act.

The objects of the EP&A Act are as follows:

- (a) *to encourage:*
- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*

- (iv) *the provision of land for public purposes,*
- (v) *the provision and co-ordination of community services and facilities, and*
- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) *ecologically sustainable development, and*
- (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Concept Plan application and Project Application ensure that development of the medical research buildings on the site is coordinated and results in an orderly and economic use of the land, whilst protecting the environment. The development will ensure the site continues to provide facilities that will benefit the community by advancing medical research and education.

The Department has considered the Objects of the EP&A Act in its assessment of the applications in Section 5 of this report, including the encouragement of ESD.

3.5.1 ESD Principles

The EP&A Act adopts the ESD definition in the *Protection of the Environment Administration Act 1991* including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms.

The five accepted ESD principles are as follows:

- (a) *decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations (the integration principle);*
- (b) *if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the precautionary principle);*
- (c) *the principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);*
- (d) *the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and*
- (e) *improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).*

The Department has considered the project in relation to the ESD principles and has made the following conclusions:

- a) **Integration Principle** – The development will provide both positive short-term and long-term economic and social outcomes by providing additional medical research and educational capacities in appropriate stages, while committing to mitigating any construction and operational impacts.
- b) **Precautionary Principle** – The proposal presents no threat of serious or irreversible environmental damage to the site or the wider locality. The proposed development will not detrimentally increase potential flood affectation on other developments or property, will not result in an increased risk to human life, and is unlikely to result in additional economic and social costs. The site is not subject to any known effects of flooding and is not subject to bushfires. The proponent has provided floor levels that account for the localised low point. Given the site is not located near a waterway and the reduced level (RL) of the ground level is approximately 43.46 metres, the site and the proposed development are unlikely to be impacted by any potential changes in sea level resulting

from climate change. The EA is supported by technical and environmental reports which conclude that the proposal's impacts can be successfully mitigated. The modifications to the Concept Plan and the recommended conditions of approval will require additional information to ensure any potential construction and operational impacts are appropriately managed or mitigated.

- c) **Inter-Generational Principle** – The project will provide additional capacity for the existing research institute to undertake neuroscience research and education, which is considered to support advancement in medical understanding and potential cures and treatments which will benefit future generations.
- d) **Biodiversity Principle** – Natural vegetation on the site is limited due to the existing buildings located on the site. The site does not contain any threatened or vulnerable species, populations, communities or significant habitats. The Project Application proposes to relocate a number of trees and provide additional landscaping. Accordingly, the impacts on existing biodiversity or ecology are negligible.
- e) **Valuation Principle** – The proponent has assessed and valued the environmental impacts of the proposal and identified appropriate safeguards to mitigate adverse environmental effects. The proponent has committed to implementing the mitigation measures during construction and operation of the facilities.

The proponent is committed to ESD principles and has reinforced this through the Statement of Commitments and the EA, as well as, architectural design to ensure high environmental performance is delivered.

3.5 SECTION 75I(2) OF THE EP&A ACT

Section 75I(2) of the EP&A Act and clause 8B of the Environmental Planning and Assessment Regulation 2000, specifies a number of requirements to be addressed in the Director General's Report. These matters and the Department's response are set out as follows:

Table 2 - Section 75I(2) requirements for Director General's Report

Section 75I(2) criteria	Response
Copy of the proponent's environmental assessment and any preferred project report	The proponent's EA is located on the assessment file (attached)
Any advice provided by public authorities on the project	All advice provided by public authorities on the project for the Minister's consideration is set out in Section 4 of this report.
Copy of any report of a panel constituted under section 75G in respect of the project	No statutory independent hearing and assessment panel was constituted in respect of this Concept Plan or Project Application.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project	Each relevant SEPP that substantially governs the carrying out of the project is addressed in Section 3.6 of this report.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development relative to the prevailing environmental planning instruments is provided in Section 3.6 of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the Concept Plan and Project Application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The Department is satisfied that the DGRs for the Concept Plan and Project Application have been addressed in this report in its entirety.

Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in Section 5 of this report.
Any aspect of the public interest that the Director General considers relevant to the project	The public interest is discussed in Section 5 of this report.
The suitability of the site for the project	The site is identified as a site suitable for special uses. The development for the purpose of medical related research and education is considered suitable as the site is currently used for similar purposes and it will complement the adjoining development in the hospital precinct. The proposal also supports state strategic planning objectives for the subregion.
Copies of submissions received by the Director General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in Section 4 of this report.

3.6 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

3.6.1 Application of EPIs to Part 3A projects

To satisfy the requirements of section 75I(2)(d) and (e) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the Concept Plan and Project Application.

The primary instruments guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 55 – Remediation of Land; and
- Randwick Local Environmental Plan 1998.

3.6.2 State Environmental Planning Policy (Major Development) 2005

The project is a Major Project to which Part 3A of the EP&A Act applies pursuant to Schedule 1 of the MD SEPP as the project satisfies the criteria in clause 19 of Schedule 1. The Concept Plan and the Major Project development both have a CIV greater than \$15 million and will provide medical research facilities.

3.6.3 State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)

The objectives of the Infrastructure SEPP are to facilitate the effective delivery of infrastructure by improving regulatory certainty through consistent planning management for infrastructure and providing greater flexibility in the location of infrastructure and service facilities throughout the State.

Schedule 3 of the Infrastructure SEPP lists traffic generating development that is required to be referred to the Roads and Traffic Authority (RTA). The Project Application was referred to the RTA on 27 May 2009 for comment. The RTA has since provided comments. Its recommendations have been considered and, where relevant, have been included as modifications to the Concept Plan or conditions of approval for the Project Application.

3.6.4 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 requires a consent authority to consider whether the land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose. A Stage 1 Environmental Site Assessment reveals that the site can be made suitable for the intended use, as required by clause 7 of SEPP 55, provided that a number of

recommendations are undertaken prior to excavation and construction, which are discussed further in Section 5 of this report.

3.6.5 Randwick Local Environmental Plan 1998

The site is located within the Randwick City Council LGA and is zoned 5 "Special Uses" under the Randwick LEP 1998. The proposed development meets the objectives for Special Use zones by accommodating development for educational purposes and development for medical research development, which is associated with development by public authorities on publicly owned land and the public hospital.

There are no maximum height or FSR controls that apply to the site. The proposed development is consistent with the zoning provisions of Randwick LEP 1998.

3.7 STRATEGIC PLANNING CONTEXT

3.7.1 Sydney Metropolitan Strategy and Draft East Subregional Strategy

The site is located within the Prince of Wales hospital precinct, which in conjunction with University of New South Wales (UNSW) Kensington Campus, form the key anchors of the Randwick Education & Health Specialised Centre in the Sydney Metropolitan Strategy.

The Draft East Subregional Strategy specifies a need to deliver an additional 75,000m² of medical research floor space. The Concept Plan application seeks to develop neuroscience research space of up to 61,000m². This will assist in delivering strategic planning objectives for the subregion.

3.7.2 NSW State Plan

The project is consistent with relevant objectives of the State Plan including to improve and maintain access to quality healthcare in the face of increasing demand, improved mental health through increased neuroscience research, and seeking to deliver better services facilitating growing prosperity across NSW.

4 CONSULTATION AND ISSUES RAISED

4.1 PUBLIC EXHIBITION

The Concept Plan and Project Application were exhibited from 3 June 2009 to 3 July 2009, and were published in the newspaper. The EA was made available to the public in the Department's Information Centre and at Randwick City Council.

4.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

During the public exhibition period, the Department received a total of four public submissions, two submissions from public authorities, a submission from Council, and comments from the Department's Heritage Branch. A summary of the issues raised in submissions is provided below. A full copy of these submissions is attached in **Appendix D**.

The Department has considered the issues in Section 5 of this report and has incorporated relevant conditions in the Instrument of Approval and as modifications to the Concept Plan.

4.2.1 Randwick City Council

Council is supportive of the overall development, however, did raise a number of issues in its submission regarding the proposed development and provided a list of suggested conditions. The key issues identified include:

- Pedestrian links and potential connections to the hospital to the north;
- Greater contextual analysis of Stage 3 development in relation to hospital precinct and University of New South Wales campus;
- Greater detail in solar access study;
- Timing of implementation of proposed traffic management works;
- Stage 3 car parking should respond to Council's precinct planning for the University and hospital precincts;
- Developer contributions should be applicable to any commercial elements of the development and not any medical research functions; and
- Requirement to relocate the cables/wires in the vicinity of the development along Barker Street underground in accordance with Council's Undergrounding Cables Policy as the CIV of the development is greater than \$2 million.

Council were also supportive of incorporating Stage 1 as part of the Concept Plan approval provided the development is undertaken in accordance with the existing consent as committed to by the proponent. Council's recommended conditions have been incorporated in the Instrument of Approval where relevant.

4.2.2 Roads and Traffic Authority (RTA)

The RTA did not raise objection to the proposal and provided comments for consideration in the determination of the proposal regarding design of car parking areas, loading areas, car parking provisions and construction management requirements.

4.2.3 NSW Transport and Infrastructure (NSWTI)

NSWTI is generally supportive of the development and the transport and traffic measures that have been detailed in the proponent's transport assessment. NSWTI has requested further consideration of the potential to further improve sustainable transport opportunities.

4.2.4 Department's Heritage Branch

The Department's Heritage Branch considers the assessment of heritage impacts on the above ground heritage items and conservation areas and Aboriginal archaeology was adequate, and that commitments adequately incorporate recommendations outlined in the heritage assessments.

The preliminary European archaeological assessment, however, was considered to be insufficient as it had not adequately detailed or considered the impacts on the European

archaeology. The proponent submitted a subsequent detailed assessment, which the Department's Heritage Branch considered to be adequately detailed with due consideration and assessment of the potential impacts to European archaeology. The archaeological assessment also identified appropriate mitigation measures which the Department's Heritage Branch considered appropriate and have recommended conditions that have been incorporated in the Project Approval.

4.2.5 Public submissions

A total of four submissions were received from the public, three of which objected to the development. One submission while not opposed to the general development raised issues with respect to certain aspects of the development. The issues raised in the submissions include:

- Bulk and scale;
- Overshadowing impacts;
- Privacy impacts;
- Building setbacks;
- Transport, traffic and access impacts, particularly on Hospital Road;
- Heritage impacts;
- Oxygen tanks;
- Dangerous goods and waste management;
- Acoustic impacts;
- Glare; and
- Construction impacts.

5 ASSESSMENT OF ENVIRONMENTAL IMPACTS

Key issues that were considered in the Department's assessment of the Environmental Assessment include:

- Built form and urban design;
- Environmental and residential amenity;
- Car parking, traffic and access impacts;
- Heritage and archaeology;
- Contributions;
- ESD;
- Contaminated land;
- Operational impacts;
- Council's Undergrounding of Cables Policy; and
- Public Interest.

5.1 BUILT FORM AND URBAN DESIGN

5.1.1 Height

There are no applicable planning controls regarding maximum heights, however, height constraints that do apply to the site are the Sydney Airport Obstacle Limitation Surface (SAOLS) controls. They specify maximum heights for buildings on the site varying from 86 metres to 93 metres.

The maximum height proposed for the Concept Plan envelope is RL 89.0 metres which will result in a maximum building height of approximately 44.5 metres above ground level. The maximum height of the Stage 2 building is RL 76.2 metres which equates to approximately 31.7 metres above ground level. These heights are necessary to provide sufficient floor space and reflects higher floor to ceiling heights due to the additional services required to support the laboratory facilities.

The site is also affected by the Ambulance Service NSW Aeromedical Services (ASNSA) helicopter where the Helicopter Landing Surface (HLS) is located approximately 80 metres to the north-west of the site and positioned at a height of 60.5 metres AHD. The proponent has consulted with the (ASNSA), who informed the proponent that the approach and departure procedures would need to be amended to allow for the development of the project. The Department recommends that a condition be imposed which requires the proponent to ensure that alternative procedures are nominated and designed in consultation with (ASNSA), users of the HLS and the Civil Aviation Safety Authority prior to commencement of above ground works.

The site is located within the hospital precinct which has existing buildings that range in height up to a maximum of RL 94.81 metres (see Figure 7). As illustrated below, the proposed building heights (RL 89.0m) are below this maximum.

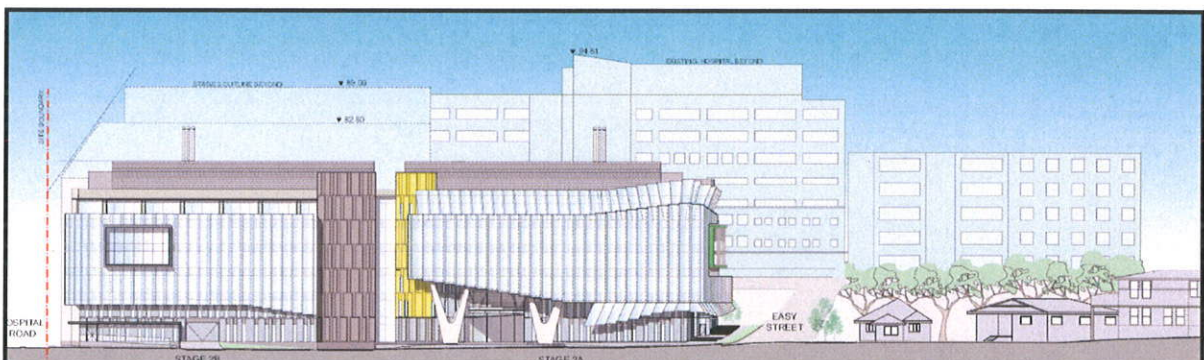


Figure 7 – Proposed heights in the context of hospital precinct

The proposed heights respond to the context of the site by establishing lower building heights to the south of the site which is surrounded by lower density and smaller scale development. This is highlighted by the provision of the single storey auditorium and exhibition space which is sympathetic to the Kiloh Centre adjoining the site to the north-east. A higher building envelope is proposed to the north of the site which has a closer relationship to the larger forms of the existing hospital buildings to the north (see Figure 8). This approach also reflects the contours of the site.



Figure 8 – Built form of hospital building immediately to the north of the site

The proposed heights of the buildings are also comparable with the maximum heights that have been specified for development within the UNSW Kensington Campus, which is approximately 160 metres west of the site. The maximum building heights for the Campus allow for up to 60 metres above ground level.

Given the heights respond to the hospital precinct and the character of the specialised precinct, and are required to accommodate the floor space requirements of the medical research facilities, the proposed building heights for the Stage 2 building and maximum height for the Concept Plan are considered acceptable.

5.1.2 Bulk & Scale

The Department and Council considered the bulk and scale of the Stage 2 building as proposed in the EA was acceptable in the context of the hospital precinct buildings and the Kiloh Centre directly adjoining the site to the north-east. However, the Department considered its form required further consideration, particularly its relationship to the lower-scale residential development to the west. This view was reiterated in the public submissions. Council also identified the need for greater contextual analysis regarding the proposed building envelope for Stage 3 to demonstrate that it relates to its surrounds.

The proponent subsequently amended the design of the Stage 2 development in the PPR to address bulk and scale, as well as public concern relating to the design of the western elevation. Additional articulated and modulated elements have been provided along the western elevation, including increased setback of the building by approximately 1 metre,

increased setback of plant areas on level 7 by approximately 6 metres, and amended treatment of the south-western corner to provide a more appropriate response given the prominence of the corner (see Figure 9 – EA and Figure 10 -PPR). The proponent has also amended the design of the building envelope for Stage 3 to increase the setback of the envelope by approximately 1 metre and provide additional setbacks on the upper levels of the western elevation to reduce the bulk of the building (see Figure 11 – EA and Figure 12 - PPR). The setback of upper levels also relates to the design of hospital buildings north of the site along Hospital Road. These amendments reduce the bulk and scale of the proposed building and building envelope and provide a more appropriate transition to the lower scale development to the west.

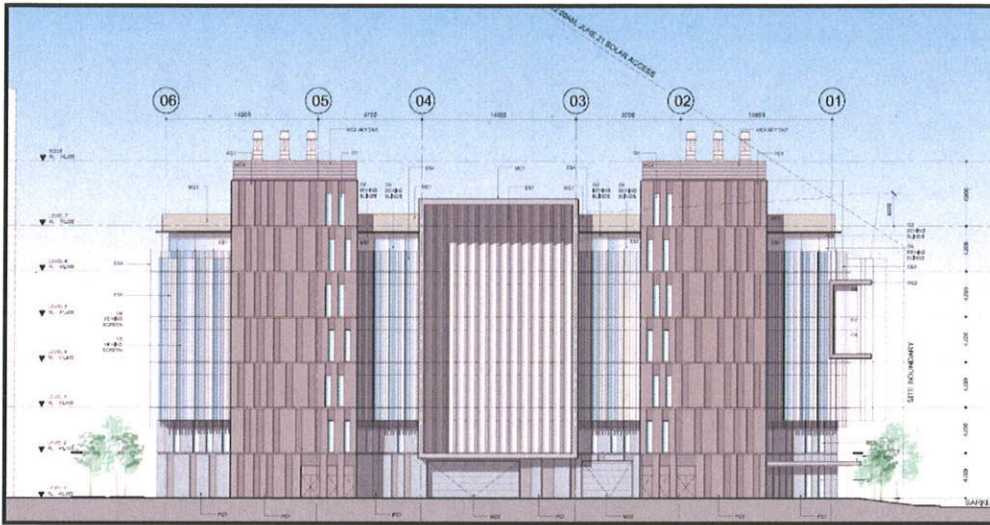


Figure 9 – Western elevation in EA

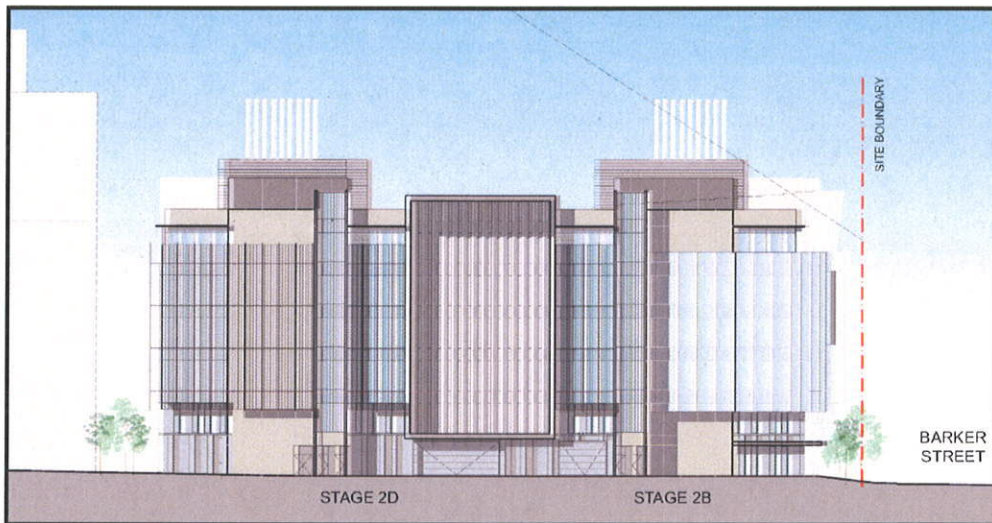


Figure 10 – Western elevation in PPR

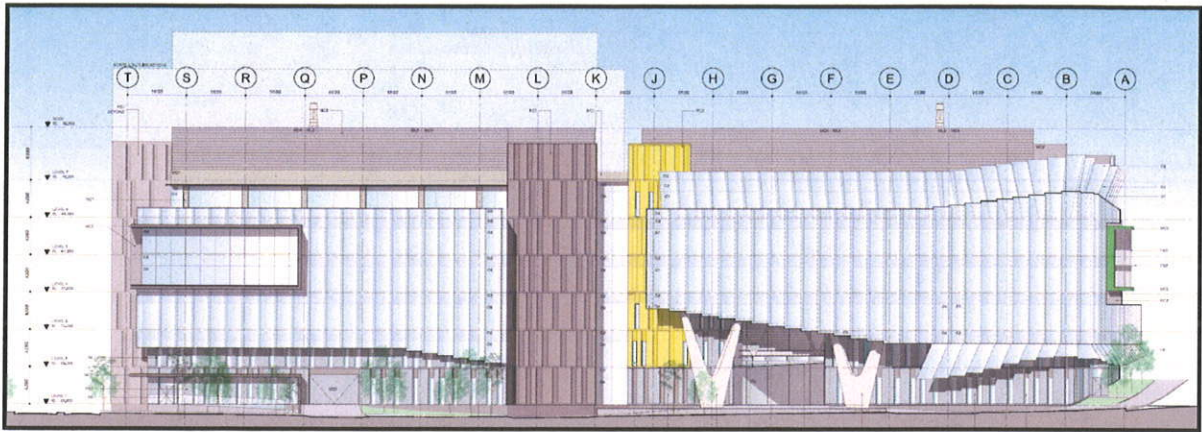


Figure 11 – Southern elevation in EA

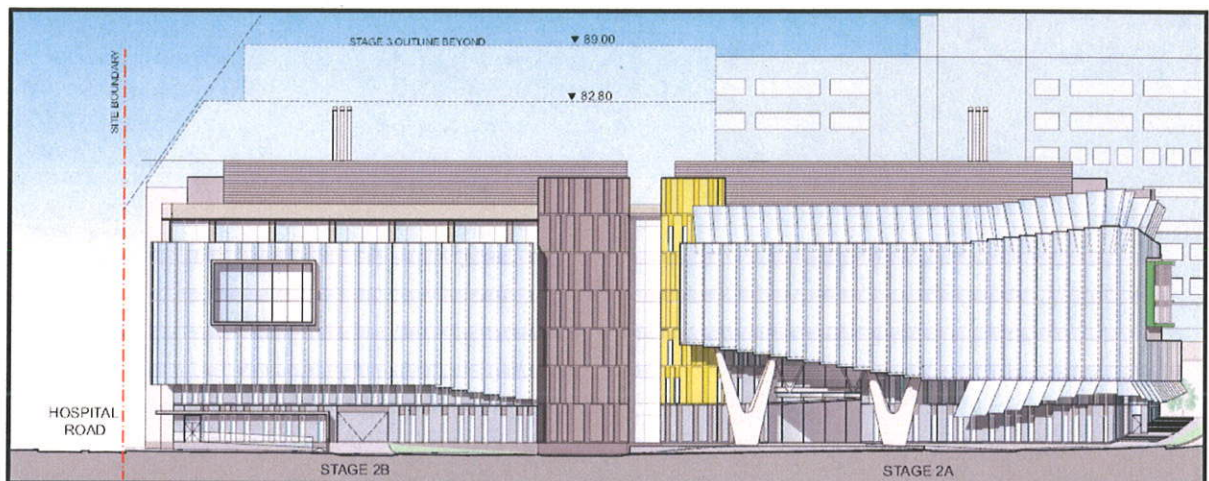


Figure 12 – Southern elevation in PPR illustrating setbacks on upper levels of Stage 2 building and Concept Plan envelope for Stage 3

The Department considers the bulk and scale of Stage 2 is generally consistent with the urban form and character of the hospital precinct and given its separation to residential development to the west by Hospital Road (a minimum separation of approximately 15 metres between the dwellings and proposed buildings), the proposed development adequately addresses the issues raised by the Department and public submissions and is overall satisfactory. Increased setbacks for the Stage 3 building envelope also appear to minimise the bulk and scale and provide greater consistency with other hospital buildings further north along Hospital Road.

5.2 ENVIRONMENTAL AND RESIDENTIAL AMENITY

5.2.1 Building Separation

As stated above, Hospital Road provides separation between proposed and existing buildings (approximately 11 metres). The separation distance between the proposed Stage 2 building and 137 Barker Street is 21 metres (as indicated in Figure 13). The separation distance between the proposed building and 15 & 17 Hay Street (the closest residential properties to Stage 2) and the site is approximately 18 metres (as indicated in Figure 13). The closest property to the west of Stage 3 building envelope is 2 Hay Street, a childcare centre located immediately to the west of Hospital Road. The building separation between the proposed Stage 3 building envelope and 2 Hay Street is approximately 15 metres (see Figure 14).

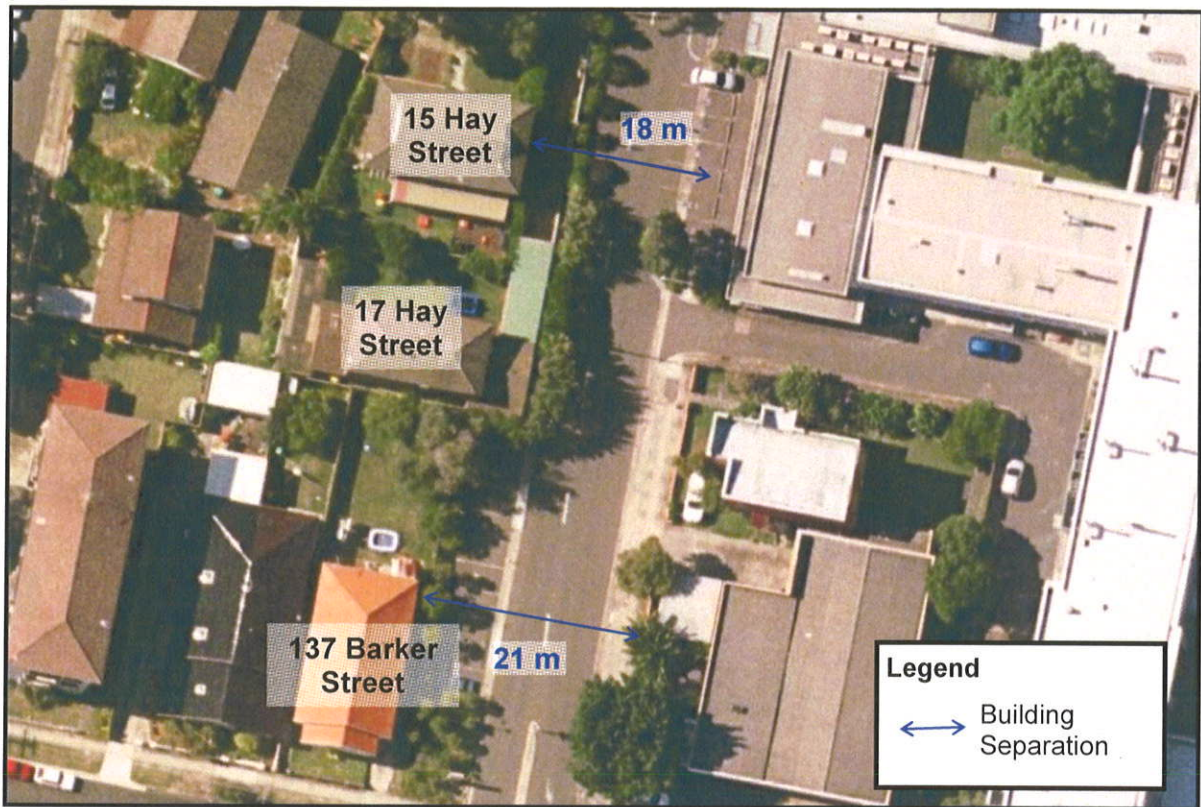


Figure 13 – Separation distance between buildings



Figure 14 – Separation distance between buildings

The separation distances have also been assessed against best practice building separation requirements in the Residential Flat Design Code (RFDC). While the proposed building is a commercial use, the building separation objectives aim to protect residential amenity and promote appropriate form and massing. Accordingly, it is considered to be an appropriate guide given development to the west is predominantly residential. The Department considers the RFDC separation distances that are most applicable for Stage 2 are 13 metres (between habitable rooms and non-habitable rooms), 9 metres for Stage 3 for development up to 25 metres, and 12 metres for Stage 3 greater than 25 metres (between non-habitable rooms).

The building separations proposed generally achieve the minimum separation distances specified in the best practice guidelines and are considered appropriate and satisfactory. The proposed building and building envelope are characteristic of the existing streetscape of the hospital precinct and ensure adequate solar access would still be maintained to the adjoining development.

5.2.2 Overshadowing

The development surrounding the site that will be impacted by overshadowing include low density residential development to the west, the equine centre to the south, and low scale hospital buildings, including the Kiloh Centre, commercial buildings, and a car park to the east.

In response to concerns raised by the Department and Council regarding the accuracy and detail of the overshadowing impacts, the proponent provided revised drawings in their PPR. These demonstrate that where the extent of overshadowing is at its greatest (see Figure 15), adequate solar access can still be maintained to adjoining land uses during winter, i.e. a minimum of 4.5 hours of sunlight to the most sensitive residential development to the west, and a minimum 5 hours of sunlight to less sensitive hospital buildings to the east. The more sensitive uses to the east, including short term visitor accommodation are located further from the development site and will not be detrimentally impacted by overshadowing.

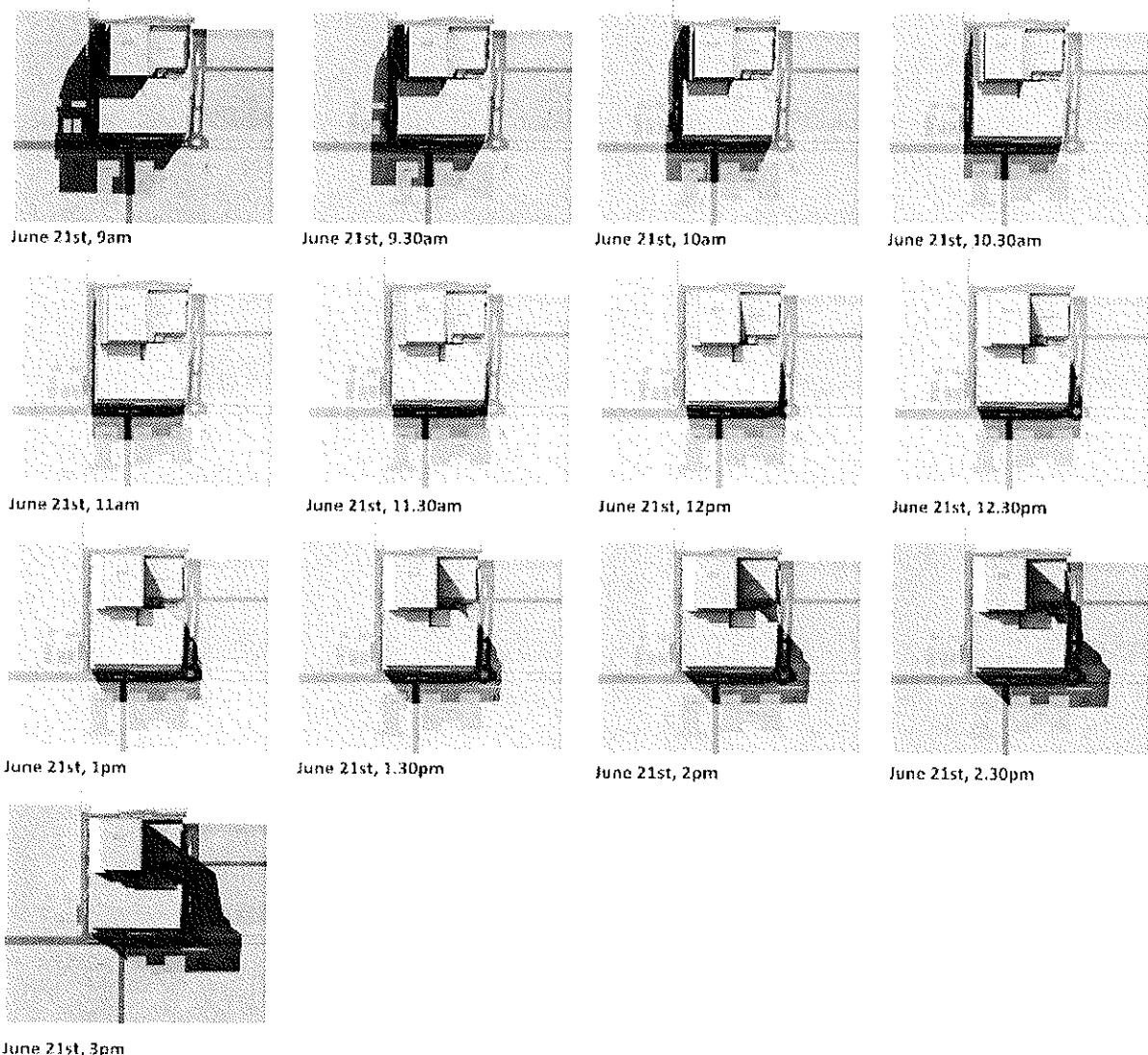


Figure 15 – Shadow Diagram for Concept Plan at Winter Solstice (June 21st)

The equine centre to the south of the site and Kiloh Centre to the east of the site have the greatest degree of overshadowing. Council identified animal health as a concern due to overshadowing impacts, however, the Department notes that the horse stables are already significantly shaded and that the stables are only used for short periods during the year as detailed in the proponent's EA. Furthermore, the impacts to the Kiloh Centre are also considered acceptable as it will still receive a minimum of 3.5 hours of sunlight during the winter solstice.

Accordingly, the Department considers that the proponent has demonstrated that the degree to which solar access is affected is acceptable and satisfactory.

5.2.3 Privacy

The Department considers the development may give rise to potential privacy impacts on the adjoining residential development to the west. The proponent argues a minimum 12 metre separation, treatment of the façade, and the proposed uses along the western elevation will result in minimal privacy impacts. However, it is noted the actual separation distance is 15 metres, which ensures privacy impacts are further minimised.

The Department notes that the western elevation provides a high level of screening to protect residential amenity to the west. The treatment of the western elevation above level 2 consists of external sunshades, including fixed aluminium vertical louvres, fixed aluminium vertical blades and aluminium retractable blinds, which will assist in maintaining privacy. In addition, it is noted that approximately 36% of the western boundary includes plant and services and a further 22% of the elevation consists of circulation space connecting the two modules, which will also minimise the impact on privacy. Consequently, the Department considers the treatment of the façade and the type of uses will ensure that the proposal will not give rise to detrimental privacy impacts.

5.2.4 Glare

Public submissions raised concerns about the potential glare from the development. The proponent has undertaken a solar reflectivity analysis and demonstrated that the development would not have adverse glare impacts. The proponent has committed to ensuring the glazing will be in accordance with the reflectivity analysis, and where glazing has the potential to result in glare, it will be constructed with clear or body tinted glass or treated to ensure no adverse glare impacts arise.

The Department considers that given glazing will be screened or installed in accordance with recommendations of the solar reflectivity analysis, the glare impacts are satisfactory. Nevertheless, the Department recommends a condition requiring certification that the light reflectivity from building materials used does not result in glare that causes nuisance or interference to any person or place.

5.3 TRANSPORT, TRAFFIC AND ACCESS IMPACTS

5.3.1 Car Parking Provisions

Currently there are 66 car spaces on site, however, only 44 spaces have been designated for use by staff. There are no relevant planning controls that identify the amount of car parking that is required for medical research facilities. The proponent therefore undertook a traffic impact study, which included an analysis of the travel pattern of existing staff, to understand the amount of trips to work by car and therefore potential car spaces that would be required. This analysis revealed that the current amount of staff that drive to work is approximately 108 (48%) of which only 76 (70%) will be on-site at any given time.

The traffic study also adopted a 12% shift away from cars for Stages 2 and 3. This will be supported by the TravelSmart scheme which includes the development of a Travel Plan to encourage alternate means of transport to driving, including improved bicycle facilities and subsidy of transport fares, if required. Using this analysis for car parking demand, 192 spaces are required for Stage 2 (see Table 2). While 226 are proposed resulting in a

surplus of 34 car spaces, this is considered acceptable by the Department as this is only temporary until the completion of Stage 3.

Table 2 – Car parking demand and supply

	Number of Employees	Car parking demand	Total demand (inc. modal shift*)	Total Car parking supply	Deficit / surplus
Stage 2	650	218	192	226	+ 34
Concept Plan (Stages 2 and 3)	1,500	504	440	375	- 65

* Modal shift of approximately 12% away from journey to work by cars.

NB. The demand and supply of car parking assumes that at any one time only 70% of employees will be on site.

The car parking analysis concludes that 440 car spaces are required overall as part of the Concept Plan. The proponent is only proposing 375 car spaces, resulting in a deficit of 65 car spaces. Given this shortfall, it is recommended that the car parking provisions for Stage 3 should be further investigated in any future Stage 3 Project Application(s). This is consistent with recommendations made in NSWIT's submission which recommends that further sustainable transport initiatives be developed. This would also allow the proponent to evaluate the success of the TravelSmart scheme, and consider the findings of the precinct planning investigations currently being undertaken by Council for the wider Specialised Centre as recommended by Council and the RTA.

5.3.2 Traffic and Transport Impacts **Construction**

The proponent's Traffic Study and Transport Management Accessibility Plan (TMAP) identifies recommended construction traffic routes. These include via Avoca Street from the south and via Allison Road and Avoca Street from the north and entering the hospital precinct via Avoca Street. These routes avoid the High Street and Botany Road intersection, which was identified in the traffic assessment as the only intersection (to be impacted by the development) already operating over capacity, and Barker Street and Botany Road intersection, which was raised as an issue in the public submissions. While the report does not state construction traffic would have a detrimental impact on the surrounding network, the Department recommends that the number of construction vehicle movements be detailed in future Construction Management Plans for each sub-stage.

The proponent has also identified that during construction the bus stop on Barker Street would need to be relocated to allow for a work zone to be established. The traffic assessment, RTA and Council recommend a Construction Management Plan be developed including details of the temporary relocation of the bus stop. The Department has imposed this requirement in the Instrument of Approval, including the relocation of the bus stop requiring the approval of Council's Traffic Committee.

Operational

The Traffic Study and TMAP concludes that the traffic generated from the development can be sufficiently accommodated by the surrounding road network. The proposal will result in approximately 69 additional trips on Barker Street for Stage 2, and a total of 201 trips overall for the Concept Plan during the AM peak period. The High Street and Botany Road intersection will continue to operate at Level of Service F. The RTA raised no objection to these findings nor raised any concerns regarding the traffic generation of the development.

The traffic assessment recommended that two upgrades be constructed as part of Stage 3 to mitigate impacts at the Botany and Barker Street intersection, and the Avoca Street and Barker Street intersection. While Council initially had concerns regarding the timing of construction of the intersection signals at Botany and Barker Street, the proponent has committed to providing the signalised intersection as part of the Stage 2 development. This will allow the development to address Botany and Barker Street intersection impacts before they deteriorate from Level of Service B (Stage 2) to D (Stage 3). The proponent has

committed to exploring restricting on-street parking on the eastern side of Avoca Street between 7.00 am and 9.00 am to mitigate increased traffic.

Council has also advised that it is investigating implementing a 40 km/h High Pedestrian Activity Area along High Street in conjunction with RTA, and has suggested the proponent contribute a percentage of the costs associated with the introduction of the scheme given the increased vehicular and pedestrian traffic generated by the development. The Department does not consider this is appropriate given the investigation's ambiguity and the lack of information about its implementation, timing, and parameters. However, further consideration of the scheme can be undertaken for the Stage 3 development if Council have resolved the parameters and timing of the scheme.

NSWTI has requested greater consideration of further modal shifts. The proponent has committed to evaluating the success of the TravelSmart scheme at various stages of occupation in Stage 2 or after implementation of the scheme. The Department considers this satisfactorily addresses NSWTI submission.

5.3.3 Access

Vehicular

Public submissions suggested that a more appropriate location for the car parking entry and exit would be Easy Street instead of Hospital Road. The Department does not consider this as an appropriate alternative as Easy Street provides the main pedestrian pathway to the main hospital entrance, and therefore would increase the potential for pedestrian and vehicular conflict along this route.

Public submissions also raised concern regarding the proposed location of the loading dock which is approximately 15 metres from the western boundary located between Stage 2 and Stage 3 building. The RTA requested that a loading dock management plan be prepared. The proponent in its response to submissions provided an additional traffic statement in which they demonstrated that the loading dock and zone would cater for medium and large rigid tankers and committed to providing a loading dock management plan prior to occupation of sub-stage 2D. The Department considers the proponent's response adequately addresses any concerns and recommends a loading dock management plan be submitted prior to occupation of each of the sub-stages.

Pedestrian

Council raised concerns about access through the site and requested that further linkages be provided including an east-west link as part of the Stage 2 development, and consideration of a connection to the north in the Concept Plan. Council also request that a minimum 2.5 metre wide pedestrian pathway be created along Hospital Road.

The proponent in its response to submissions concluded the east-west link would not be appropriate as it:

- could create conflict with the loading dock due to pedestrian movements;
- would not provide suitable access given the level changes;
- would result in inappropriate public exposure to patients being treated at the Black Dog Institute and Kiloh Centre;
- a direct link could not be established given the level changes; and
- Barker Street is a more appropriate route for east-west pedestrian traffic.

The proponent's justification for not providing a north link to the hospital facilities is that the patients of the hospital and visitors of the Institute do not require access to the services of the other. The level changes on the site also impede the potential for a link as it would connect to car parking facilities.

The proponent has amended the design by increasing the ground floor setback of Stage 2 building and building envelope for the Concept Plan to ensure a minimum 2.5 metre wide footpath along Hospital Road to support any north-south pedestrian traffic.

The Department considers that provision of the east-west link would not be appropriate as there should be limited public intrusion into care and treatment areas, and increased potential for pedestrian conflict with the loading zone and dock. Given the primary access is located on Barker Street and the improvements to pedestrian paths along Easy Street, Barker Street and Hospital Road, the additional east-west and north-south links are unwarranted as there is limited need for pedestrian movement through the site. The Department does not consider it necessary to provide a link to the hospital facilities to the north as it would not improve movement through the site.

5.4 NOISE IMPACTS

Construction

The proponent has prepared an Acoustic Report that acknowledges that there will be adverse noise impacts during construction. The acoustic assessment identifies several recommendations to limit the noise impacts in addition to measures adopted in the preliminary Construction Management Plan that will minimise adverse noise impacts. The proponent has committed to implementing these mitigation measures during construction works. The Department has also imposed noise control conditions for the Project Application relating to noise limits and construction hours to limit adverse impacts on the surrounding area.

Operational

The public submissions identified increased traffic on Hospital Road as a concern due to acoustic impacts of a 24 hour car park. The proponent has stated in its response to submissions that while the proposed traffic would result in additional noise impacts the increased noise falls within maximum noise limit levels. The Department does not consider the use of the facilities would give rise to detrimental noise impacts.

5.5 HERITAGE AND ARCHAEOLOGY

The Department's Heritage Branch reviewed the EA and considered it adequately addressed the above ground heritage impacts and Aboriginal archaeological impacts. Council also agreed with the findings that the development would not result in any adverse impact on the curtilage of the Destitute Children's Asylum Memorial Garden or the Struggletown Heritage Conservation Area. Notwithstanding this, the Department and Council considered the European archaeological assessment had not adequately identified, assessed or mitigated the European archaeological impacts of the project.

The proponent subsequently provided an additional archaeological study prepared by Cultural Resources Management in June 2009, which includes a number of recommendations to mitigate any adverse impacts to any European archaeological significance. The Department's Heritage Branch considers the revised assessment adequately addresses the archaeological impacts of the project. The Department has included relevant conditions as part of the Project Application approval in accordance with the recommendations outlined in the report to ensure any European archaeology is managed and protected.

5.6 DEVELOPMENT CONTRIBUTIONS

Council's *Randwick City s94A Development Contributions Plan 2007* (s94A plan) is applicable to the site and requires a maximum 1% levy on development within the LGA. However, the s94A plan allows certain types of development to be exempted from the levy. This includes public hospitals or works carried out for a charitable purpose by, or on behalf of, a registered charity. The proponent has stated in the EA that the contributions should not be applied to the development as it is part of a public hospital facility and the proponent

is a charitable organisation. The development would also provide wider community health benefits.

Council in its submission requested that the levy should only be applied to the commercial components of the development, namely the car park and the auditorium. In the proponent's response to submissions it has requested that the levy not be applied as the car park and auditorium will not be commercially operated.

The Department considers that it would be unreasonable to apply the levy as the primary use of the car park and auditorium are ancillary and integral to the medical research functions of the development and are not fundamentally commercial. Furthermore, the Department accepts that the auditorium will not be operated as a separate commercial entity, and notes that any funding generated by the use of the auditorium will be directed into increased medical research. The proponent has also committed to not engaging a commercial operator to run the car park. Nevertheless, the Department has recommended a condition of approval for the Project Application that ensures the car park and auditorium are not operated on a commercial basis.

5.7 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

An ESD report has been prepared which outlines how the development will incorporate ESD principles in the design, construction and on-going development of the project. The Green Building Council of Australia (GBCA), Green Star Education tool as well as US LEED (specifically designed for assessing performance of laboratories) were used to guide and inform the design of the proposal.

ESD initiatives address management, indoor environmental quality, energy conservation, transport, water conservation, materials and emissions and include:

- re-use and recycling of construction waste;
- use of materials with low embodied energy and high recycled content;
- natural ventilation and lighting including voids;
- promotion of sustainable transport initiatives including workforce travel package, shower facilities for cyclists and dedication of 25% of parking to small vehicles;
- water saving devices including dual flush toilets, smart flush urinals, use of rainwater for landscape irrigation and toilet and urinal flushing; and
- implementation of an Environmental Management Plan.

The proponent in their Statement of Commitments has proposed to achieve a rating equivalent to the 5 star NABERS rating scheme (educational model) for the Project Application. The Department considers the proponent has provided adequate measures to promote ecologically sustainable development.

5.8 CONTAMINATED LAND

The proponent has undertaken a Stage 1 Environmental Site Assessment which identified that no significant contamination was found on site except elevated levels of nickel and zinc in some of the samples, which may have an impact on plant growth dependent on soil quality. The assessment recommended a number of measures to be undertaken prior to commencement of works, including additional sampling, inspection during demolition and excavation, further on-site hazardous materials assessment of the Black Dog Institute and Ambulance depot building, and production of clearance certificates.

The proponent has committed to undertaking the necessary measures in their Statement of Commitments. The Department and Council consider the proponent has adequately demonstrated that the site can be made suitable for development, provided recommended measures are undertaken prior to commencement of works.

5.9 STORMWATER AND DRAINAGE

The site is located adjacent to a localised low point and the proponent has designed the building to accommodate a 300mm clearance above the 1 in 100 year flood level for parking and loading, and 500mm clearance above the 1 in 100 year flood level for habitable levels. In response to Council's concerns about the amount of stormwater discharge the proponent has provided a statement that confirms the design will provide sufficient capacity to ensure the development will not exceed maximum stormwater discharge levels.

The proponent has submitted preliminary stormwater plans indicating flood protection measures, new connection points and upgrades. The Department recommends imposing a condition on the Project Application approval requiring final stormwater plans for each sub-stage of development.

5.10 WASTE MANAGEMENT

The public submissions raised concerns about the waste management procedures for the development. The proponent has indicated that waste will be stored on the premises and disposed of through existing procedures in accordance with the Prince of Wales and Sydney Children's Hospital Waste Management Plan or UNSW Laboratory Hazardous Waste Disposal Procedure which caters for waste removal, including animal waste removal. The Department considers that the waste management procedures that will be implemented will sufficiently cater for waste removal, especially as these are consistent with existing practices.

5.11 COUNCIL'S UNDERGROUNDING OF CABLES POLICY

Council has requested that a condition be imposed that requires the proponent to replace the overhead wires with underground cables in the vicinity of the development site. The condition has been requested in accordance with Council's Undergrounding of Cables Policy.

The policy was developed to mitigate development impacts by reducing potential safety hazards and adverse visual amenity impacts by removing or reducing the presence of overhead cables. The policy requires all developments with a cost of over \$1 million to bundle the overhead wires and where the cost of the development exceeds \$2 million relocate the cables underground. The Project Application has a CIV of \$120 million.

Immediately adjacent to the site on Barker Street are three full spans of electricity wires/telecommunications cables and four power poles. The cost of undertaking the works has not been provided as it is subject to Energy Australia requirements. The proponent has indicated that they do not agree with the proposed condition, however the proponent did not object to the condition when draft conditions were forwarded to the proponent. The Department considers it would be appropriate to impose the condition for the following reasons:

- The condition is consistent with Councils' policy and substantially exceeds the \$2 million threshold;
- The relocation of cables and wires underground would result in significant streetscape amenity and safety improvements along Barker Street;
- The project includes significant works to the Barker Street frontage, including construction of vehicular crossings across the footpath for the porte cochere and Ambulance Station driveway; and
- The relocation of cables and wires underground is consistent with the other boundaries of the site including along Hospital Road, Francis Martin Drive and Easy Street.

Accordingly, the condition has been included in the Project Application approval.

5.12 STAGING

Stage 1 of the Concept Plan application has an existing consent (DA/468/2007) issued by Randwick City Council under Part 4 of the EP&A Act, and is currently under construction. The proponent has requested that there be no further environmental assessment of Stage 1 works pursuant to section 75P(1)(c) of the EP&A Act, and that Stage 1 be approved as a project pursuant to section 75J of the EP&A Act, without further application. Moreover, they have proposed the existing conditions issued by Randwick City Council (Part 4 consent) be imposed in the section 75J approval.

The proponent's reason for the request is that they consider the Part 4 consent may cease to have effect as a result of the approval of the concept plan pursuant to clause 8M(1) of the Environmental Planning and Assessment Regulation 2000. As result, the proponent considers it necessary that the Minister determine that no further environmental assessment of Stage 1 works pursuant to section 75P(1)(c) of the EP&A Act is required, and that Stage 1 be approved as a project pursuant to section 75J of the EP&A Act, without further application.

The Department considers that clause 8M(1) of the Regulation only has effect in relation to approvals given for a project application under section 75J of the EP&A Act and not to concept plan approvals under section 75O of the EP&A Act. Hence, the Part 4 consent issued by Randwick City Council for Stage 1 would not be extinguished by the concept plan approval and thus would remain in force. The request by the proponent is therefore considered unnecessary. As a safeguard, the Department has limited the terms of the concept plan approval to exclude any development approved under development consent DA468/2007 by Randwick City Council.

The Department also has concerns in relation to approving Stage 1 pursuant to section 75J of the EP&A Act, when the 'carrying out of works' has already been undertaken and is nearly finished. In effect, the proponent is requesting retrospective approval for works already carried out. The Department does not support this action.

Council has requested the sub-stages of the Stage 2 development be undertaken sequentially. The Department does not consider this is warranted as the proponent has stated that the stages are likely to be undertaken sequentially. Even if they were not, the proponent is still required to adhere to conditions imposed on the Project Approval which requires additional information and reports prior to the development of the sub-stages.

5.13 PUBLIC INTEREST

The proposed development will provide significant public benefits as follows:

- Strengthening the specialised centre;
- Providing additional medical research facilities and educational facilities to advance health discoveries;
- Establishing an iconic building;
- Attracting leading researchers;
- Improved urban and aesthetic design on the site;
- Increased employment opportunities consistent with strategic planning objectives;
- Significant capital investment in the medical research field; and
- Investment certainty by providing appropriate building envelope and uses for the whole site.

Subject to the amendments outlined in this assessment, the proposal results in an appropriate built form and urban design that ensures the development will not have any significant adverse impacts upon the amenity of the surrounding locality. Accordingly, for these reasons the proposal is considered to be in the public interest.

6 CONCLUSION

The Department has assessed the EA and considered the submissions in response to the proposal. The key issues raised in submissions relate to height, bulk and scale, overshadowing, privacy and acoustic impacts on residential amenity, traffic impacts, car parking provisions, waste management, Stage 3 development details, and developer contributions.

The Department has determined that the proponent's PPR and response to the key issues will ensure minimal environmental impacts, and any environmental impacts of the project can be adequately managed to ensure an acceptable level of performance.

The Department is satisfied the Concept Plan and Project Application would be an improvement to the site, as it would provide up to 61,000m² of medical research gross floor area and will result in an orderly and economic use of the land. The project would also attract significant investment and generate significant jobs to address strategic planning objectives for the area and is consistent with the NSW State Plan, Metropolitan Strategy and Draft East Subregional Strategy.

The recommended modifications and conditions include ensuring no commercial for profit entity operates the car park or auditorium, and further consideration of sustainable transport initiatives prior to determining car parking provisions for Stage 3.

The Department also recommends limiting the Concept Plan approval to Stages 2 and 3, as Stage 1 has an existing Part 4 consent under the EP&A Act.

The Department has determined that the site is suitable for the proposed development. Accordingly, the Department recommends that the Concept Plan be approved subject to modifications, and the Project Application be approved subject to conditions.

7 RECOMMENDATION

It is recommended that the Minister:

- (A) **Consider** all relevant matters prescribed under section 75J(2) and 75(O) of the *Environmental Planning and Assessment Act 1979*, including those relevant matters prescribed by section 75I(2) as contained in the findings and recommendations of this report;
- (B) **approve** the Concept Plan, subject to the modifications, under section 75O(1), *Environmental Planning and Assessment Act 1979*, having considered all relevant matters in accordance with (A) above;
- (C) **sign** the Instrument of Approval (**Tag B**);
- (D) **approve** the carrying out of Stage 2 of the project, subject to conditions, under section 75J(1) *Environmental Planning and Assessment Act 1979*, having considered all relevant matters in accordance with (A) above; and
- (E) **sign** the Instrument of Approval (**Tag C**).

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APPENDIX A. DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Part 3A – Project Application Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application No.	MP 08_0086 (Concept Plan)
Project	Concept Plan - Prince of Wales Hospital Medical Research Institute The proponent is seeking concept plan approval for a new Neuroscience Research Precinct on part of the Prince of Wales Hospital, Randwick campus.
Site	Prince of Wales Medical Research Institute (on part of the Prince of Wales hospital campus) Barker Street, Randwick.
Proponent	JBA Urban Planning Consultants P/L (on behalf of the Prince of Wales Medical Research Institute).
Date of Issue	13 August 2008 <i>(If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.)</i>
General Requirements	The Environmental Assessment must include: <ul style="list-style-type: none"> • an executive summary; • a description of the proposal comprising: <ul style="list-style-type: none"> ◦ description of the site including cadastre and title details; ◦ design, construction, operation, maintenance, rehabilitation and staging as applicable; ◦ project objectives and need; ◦ consideration of alternatives to the proposal. • an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; and • a statement on the validity of the Environmental Assessment, the qualifications of person(s) preparing the assessment and that the information contained in the Environmental Assessment is neither false nor misleading.
Key Assessment Requirements	<p>Relevant EPIs, Guidelines and other requirements to be addressed</p> <ul style="list-style-type: none"> • Planning provisions applying to the site, including the permissibility and the provisions of all plans and policies including Randwick LEP 1998, relevant DCPs, SEPP (Infrastructure) 2007 and SEPP 55. • Nature and extent of non-compliance with relevant EPIs and justification for any departure. • Submission of a copy of the Development Consent DA/468/2007 issued by Randwick City Council, including copies of stamped plans. • Relationship of the proposal to the Randwick Hospitals Development Plan March 2006 (prepared by Deb Berkhout for NSW Health) <p>Built Form/Urban Design</p> <ul style="list-style-type: none"> • Indicative plans, elevations and sections to detail the urban design, height, density, bulk and scale, setbacks of the proposal in relation to the surrounding development, topography, streetscape and view corridors. • Relationship of the development to the whole PoW Hospital site including entry points from Barker Street • View analysis, including artist's perspective and photomontages.

	<ul style="list-style-type: none"> • Details of the proposed landscaping and open space areas. • Consideration of safety and security issues for those using the site, and in adjoining public areas. <p>Environmental and Residential Amenity</p> <ul style="list-style-type: none"> • Address solar access, visual privacy, acoustic privacy, and wind impacts and achieve a high level of environmental amenity within the PoW Site and amenity for adjoining properties. The proposal must demonstrate that the proposed siting of buildings does not have unacceptable level of impacts on overshadowing, privacy and outlook of buildings within the site and on adjoining sites. <p>Transport and Accessibility</p> <ul style="list-style-type: none"> • A Traffic Study in accordance with the Roads and Traffic Authority's <i>Guide to Traffic Generating Development</i>, with particular regard to: <ul style="list-style-type: none"> ◦ Existing road capacity, traffic conditions, expected impacts and any upgrade requirements; ◦ Daily and peak traffic movements and impacts on intersections; ◦ Internal road layout and access arrangements; ◦ Car parking arrangement for staff and visitors; ◦ Delivery, servicing and loading arrangements; and ◦ Pedestrian and bicycle linkages within the site and wider hospital area. • Transport Management and Accessibility Plan (TMAP) for the site, in accordance with the Ministry of Transport's <i>Interim TMAP Guidelines</i>, including: <ul style="list-style-type: none"> ◦ Cumulative regional traffic impacts; ◦ Staging/Sequencing plan; and ◦ Construction Management Plan. • Measures to promote public transport usage and reduce car usage. • Determine the adequacy of the proposal to meet the likely future demand for increased pedestrian and cycle access in the vicinity of the site. • Identify measures to mitigate potential impacts for pedestrians and cyclists during the construction of the project. • Proposed car parking arrangements, including car parking allocation and parking for construction workers. <p>Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> • Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development including water sensitive urban design measures, energy efficiency, recycling and waste disposal. <p>Heritage</p> <ul style="list-style-type: none"> • Detail any potential Aboriginal and European archaeological heritage on the site, such as the Randwick Destitute Children's Asylum, and how it would be considered, preserved and recognised appropriately. <p>Staging</p> <ul style="list-style-type: none"> • Include details regarding any proposed staging of the development including impacts of existing employees, car parking etc. <p>Ambulance Station</p> <ul style="list-style-type: none"> • Provide details on the redesign or relocation of the ambulance station. <p>Utilities</p> <ul style="list-style-type: none"> • In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including
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	<p>staging of any infrastructure works.</p> <p>Drainage, Stormwater and Groundwater Management</p> <ul style="list-style-type: none"> Identify drainage, stormwater and groundwater management issues including topography, on site stormwater detention, water sensitive urban design and drainage infrastructure. <p>Planning Agreements and/or Developer Contributions</p> <ul style="list-style-type: none"> Address Council's Section 94A Development Contributions Plan and provide the likely scope of a planning agreement and/or developer contributions between the proponent and Council for matters such as open space, community, regional and local infrastructure, public transport provisions, social infrastructure and facilities either on site or within the City of Randwick. <p>Draft Statement of Commitments</p> <ul style="list-style-type: none"> Proposed mitigation and management of residual impacts. A Statement of Commitments detailing measures for environmental management and mitigation measures and monitoring for the project.
Test of Adequacy	<p>If the Director-General considers that the Environmental Assessment does not adequately address the Environmental Assessment Requirements, the Director-General may require the proponent to submit a revised Environmental Assessment to address the matters notified to the proponent.</p> <p>The Director-General may modify these requirements by further notice to the proponent.</p>
Consultation Requirements	<p>During the preparation of the Environmental Assessment, you should undertake an appropriate level of consultation with the relevant Local or State government authorities, service providers, existing staff at PoWMRI and Black Dog, community groups and other stakeholders.</p> <p>In addition the EA is to include written evidence of consultation with the following:</p> <p>Agencies, other authorities and groups:</p> <ul style="list-style-type: none"> South Eastern Sydney and Illawarra Area Health Service Randwick City Council NSW Roads and Traffic Authority NSW Ministry of Transport NSW Department of Conservation and Climate Change All relevant utility providers
Deemed Refusal Period	60 days (see Clause 8E of the <i>Environmental Planning and Assessment Regulation 2000</i>)
Application Fee Information	<p>The application fee is based on Capital Investment Value of the project as defined in the Major Projects SEPP and as set out in Clause 8H of the <i>Environmental Planning and Assessment Regulation 2000</i>. To verify the cost of works for this project you are requested to submit a Quantity Surveyor's report for the project.</p>
Landowners Consent	Landowner's consent is to be provided in accordance with the <i>Environmental Planning and Assessment Regulation 2000</i> .
Documents to be submitted	<p>Once the draft EA has been submitted and determined to be adequate by the Department the applicant should submit:</p> <ul style="list-style-type: none"> 10 hard copies of the environmental assessment report & 10 sets of the site analysis plan and architectural plans; and 10 copies of the environmental assessment report and plans on CD-ROM (in PDF – please ensure all files are less than 2Mb in size).

Part 3A – Project Application

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application No.	MP 08_0153
Project	Stage 2 works for the proposed Neuroscience Research Precinct on part of the Prince of Wales Hospital, Randwick campus.
Site	Prince of Wales Medical Research Institute (on part of the Prince of Wales hospital campus) Barker Street, Randwick.
Proponent	JBA Urban Planning Consultants P/L (on behalf of the Prince of Wales Medical Research Institute).
Date of Issue	11 September 2008 <i>(If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.)</i>
General Requirements	<p>The Environmental Assessment must include:</p> <ul style="list-style-type: none"> • an executive summary; • a description of the proposal comprising: <ul style="list-style-type: none"> ◦ description of the site including cadastre and title details; ◦ design, construction, operation, maintenance, rehabilitation and staging as applicable; ◦ project objectives and need; and ◦ consideration of alternatives • an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; and • a statement on the validity of the Environmental Assessment, the qualifications of person(s) preparing the assessment and that the information contained in the Environmental Assessment is neither false nor misleading.
Key Assessment Requirements	<p>Relevant EPIs, Guidelines and other requirements to be addressed</p> <ul style="list-style-type: none"> • Planning provisions applying to the site, including the permissibility and the provisions of all plans and policies including Randwick LEP 1998, relevant DCPs, SEPP (Infrastructure) 2007 and SEPP 55; • Relationship to the proposed Concept Plan MP 08_0086 for the site; • Nature and extent of non-compliance with relevant EPIs and the Concept Plan; • Consideration of alternatives to the proposal. <p>Built Form/Urban Design</p> <ul style="list-style-type: none"> • Plans, elevations and sections to detail the urban design, height, setbacks, density, bulk and scale of the proposal in relation to the surrounding development, topography and streetscape; • Activation of the Barker Street and Easy Street frontages; • View analysis, including artist's perspective and photomontages; • Schedule of materials and finishes; • Details of any proposed landscaping and open space areas; • Setbacks and links to the Memorial Garden and other landscaped areas. <p>Environmental and Residential Amenity</p> <ul style="list-style-type: none"> • Address solar access, visual privacy, acoustic privacy, wind impacts and view corridors and achieve a high level of environmental amenity and amenity for adjoining residences. The proposal must demonstrate that the proposed building does not have unacceptable level of impacts on

	<p>overshadowing, privacy and outlook of buildings within the site and on adjoining sites.</p> <p>Car Parking and Traffic</p> <ul style="list-style-type: none"> • A Traffic Study in accordance with the Roads and Traffic Authority's <i>Guide to Traffic Generating Development</i>, with particular regard to: <ul style="list-style-type: none"> ◦ Existing road capacity, traffic conditions, expected impacts and any upgrade requirements; ◦ Daily and peak traffic movements and impacts on intersections; ◦ Internal road layout and access arrangements; and ◦ Pedestrian and bicycle circulation patterns and linkages. • Transport Management and Accessibility Plan (TMAP) for the site, in accordance with the Ministry of Transport's <i>Interim TMAP Guidelines</i>, including: <ul style="list-style-type: none"> ◦ Cumulative regional traffic impacts; ◦ Staging/Sequencing plan; and ◦ Construction Management Plan. • Measures to minimise car parking provision and promotion of public transport and bicycle usage; • Proposed car parking arrangements, including car parking allocation and parking for construction workers. <p>Ambulance Station</p> <ul style="list-style-type: none"> • Provide details on the redesign or relocation of the ambulance station. <p>Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> • Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development including water sensitive urban design measures, energy efficiency, recycling and waste disposal. <p>Heritage</p> <ul style="list-style-type: none"> • Detail any potential Aboriginal and European archaeological heritage on the site, such as the Randwick Destitute Children's Asylum, and how it would be considered and recognised appropriately. • Detail consideration of the Struggletown Heritage Conservation Area. <p>Construction and operational impacts</p> <p>The EA should address the following:</p> <ul style="list-style-type: none"> • Any likely geotechnical impacts; • Any potential contamination on the site to address SEPP 55; • Air pollution, soil and erosion and waste material including operation waste including biomedical infectious or other toxic wastes; • Noise and vibration; • Details of any cut and fill and whether any fill is proposed to be imported or exported to/from the site; • Prepare a sediment and erosion control plan; • Prepare a waste management plan; • Prepare a construction management plan to mitigate against the impacts associated with demolition and construction of the new work. <p>Staging</p> <p>Staging of demolition and construction on the site, including decanting of buildings and temporary access arrangements.</p> <p>Utilities</p> <ul style="list-style-type: none"> • In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including
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	<p>staging of any infrastructure works.</p> <p>Drainage, Stormwater and Groundwater Management</p> <ul style="list-style-type: none"> Identify drainage, stormwater and groundwater management issues, on site stormwater detention and drainage infrastructure. <p>Planning Agreements and/or Developer Contributions</p> <ul style="list-style-type: none"> Address Council's Section 94A Development Contributions Plan and provide the likely scope of a planning agreement and/or developer contributions between the proponent and Council for matters such as open space, community, regional and local infrastructure, public transport provisions, social infrastructure and facilities either on site or within the City of Randwick. <p>Draft Statement of Commitments</p> <ul style="list-style-type: none"> Proposed mitigation and management of residual impacts. A Statement of Commitments detailing measures for environmental management and mitigation measures and monitoring for the project.
Test of Adequacy	<p>If the Director-General considers that the Environmental Assessment does not adequately address the Environmental Assessment Requirements, the Director-General may require the proponent to submit a revised Environmental Assessment to address the matters notified to the proponent.</p> <p>The Director-General may modify these requirements by further notice to the proponent.</p>
Consultation Requirements	<p>During the preparation of the Environmental Assessment, you should undertake an appropriate level of consultation with the relevant Local or State government authorities, service providers, existing staff at PoWMRI and Black Dog, community groups and other stakeholders. In particular, you should consult with:</p> <p>Agencies, other authorities and groups:</p> <ul style="list-style-type: none"> South Eastern Sydney and Illawarra Area Health Service Randwick City Council NSW Roads and Traffic Authority NSW Ministry of Transport NSW Department of Conservation and Climate Change All relevant utility providers
Deemed Refusal Period	60 days (see Clause 8E of the <i>Environmental Planning and Assessment Regulation 2000</i>)
Application Fee Information	<p>The application fee is based on Capital Investment Value of the project as defined in the Major Projects SEPP and as set out in Clause 8H of the <i>Environmental Planning and Assessment Regulation 2000</i>. To verify the cost of works for this project you are requested to submit a Quantity Surveyor's report for the project.</p>
Landowners Consent	Landowner's consent is to be provided in accordance with the <i>Environmental Planning and Assessment Regulation 2000</i> .
Documents to be submitted	<p>Once the draft EA has been submitted and determined to be adequate by the Department the applicant should submit:</p> <ul style="list-style-type: none"> 10 hard copies of the environmental assessment report & 10 sets of the site analysis plan and architectural plans; and 10 copies of the environmental assessment report and plans on CD-ROM (in PDF – please ensure all files are less than 2Mb in size).

APPENDIX B. ENVIRONMENTAL ASSESSMENT

Provided on disk.

APPENDIX C. PREFERRED PROJECT REPORT

A response from the proponent to matters raised in submissions is addressed in the Preferred Project Report including a response to submissions. Provided on disk.

APPENDIX D. SUBMISSIONS
